

Applicant: Valentino Campagnolo
Application No.: 09/886,123

B2 23. The combination of claim 20 wherein the bias means is shaped to compliment the shape of the upper cam surface.--

IN THE ABSTRACT

Please replace the Abstract currently on file with the Abstract attached on the attached separate sheet.

REMARKS

The abstract of the disclosure is objected to because it contains legal phraseology such as "means" and "said." In response, Applicant has amended the abstract by deleting the aforementioned legal phraseology.

Claims 1-6 are rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. In particular, the word "this" in lines 6 and 7 of claim 1 and the word "its" in line 9 of claim 1 are alleged to be unclear. The Official Action also finds that claim 1 is indefinite because it is unclear whether the phrase "with reference to the mounted condition on the bicycle" in lines 17-18 of claim 1 is part of the claimed invention. Applicant does not agree. Nevertheless, claim 1 is amended to make explicit what was clearly inherent to anyone of skill in the art upon reading

Applicant: Valentino Campagnolo
Application No.: 09/886,123

the claim and fully recites Applicant's invention. This amendment to claim 1 does not narrow the scope of the invention or surrender any subject matter previously encompassed within the original claim.

Claims 1, 2 and 4 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nagano, U.S. Patent No. 5,806,379. Applicant respectfully traverses the rejection under Section 103 in view of Nagano.

The Official Action states that Nagano '379 discloses in Fig. 1 "a shoe comprising front and rear engaging elements 4a and a support plate having a ramp projecting from the support surface (not numbered) only on one side of the support plate." Official Action, page 3. Applicant believes this statement is factually incorrect. Fig. 1 of Nagano discloses a cleat coupling device having a symmetrical design about its longitudinal axis. In other words, the coupling device 4 of Nagano includes a ramp projecting from the support surface on **both sides** of the support plate. Accordingly, the Section 103 rejection is improper and should be withdrawn.

The Official Action states that the process limitations recited in claims 4 and do not further limit the claims. Applicant amended claims 4 and 5, in accordance with the teaching in the specification, to recite that the integral construction that results from the "drawn" terminology referred to in connection with the plate. It is respectfully submitted that this make explicit what was implicit in the former claim language.

Applicant: Valentino Campagnolo
Application No.: 09/886,123

Claims 3, 5 and 6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nagano '379 in view of Ogino, U.S. Patent No. 5,279,184. Applicant respectfully traverses the rejection under Section 103 in view of Nagano and Ogino.

Claims 3, 5 and 6 are dependent on claim 1 which is believed to be patentable for the reasons discussed above. Further, the cited art does not teach, disclose, or suggest each of the limitations recited in claims 1, 3, 5 or 6. For example, Ogino does not teach, or suggest "cam means for opposing said releasing rotation of the cleat, and for lifting the side of the cleat, which is moved away from the center of the pedal when said releasing rotation is imposed on the cleat" as recited in claim 1. The base plate 5 of Ogino is devoid of a cam means which performs the above-quoted function. While the projection 8 of Ogino may prevent lateral movement of the cleat, there is no disclosure or suggestion of structure "lift[ing] the side of the cleat, which is moved away from the center of the pedal" as recited in claim 1. Therefore, claims 1, 3, 5 and 6 are not rendered obvious by and are patentable over Nagano, Ogino, or any reasonable combination thereof.

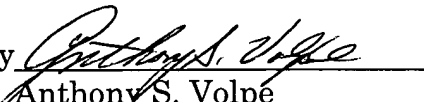
Claim 7-23 have been added to round out the claim coverage and are fully supported by the specification of the present. Claims 7-23 are patentable for at least the same reasons discussed above with respect to claim 1. Applicant earnestly solicits early reconsideration and a Notice of Allowance for claims 1-23.

Applicant: Valentino Campagnolo
Application No.: 09/886,123

If the Examiner believes an interview, telephonically or in person, will advance allowance of this application, it is respectfully requested that the undersigned be contacted to arrange the same.

Respectfully submitted,

Valentino Campagnolo

By 
Anthony S. Volpe
Registration No. 28,377
(215) 568-6400

Volpe and Koenig, P.C.
Suite 400, One Penn Center
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103

ASV/JMK/ns
Enclosures

Application No.: 09/886,123
Examiner: Timothy P. McAnulty

**37 CFR §1.121(b)(1)(iii) and (c)(1)(ii) SPECIFICATION
AND CLAIM AMENDMENTS- MARKED UP VERSION**

1. (Amended) Safety pedal for bicycles, comprising a device for quick coupling to a cleat fastened to [the] a sole of a shoe, including a toe element for receiving a front end of the cleat and a rear fastening device for engaging the rear end of the cleat when the rear end of the cleat [this] is pressed over said rear fastening device and for releasing the cleat when the rear end of the cleat [this] is rotated in the general plane of the pedal so the [its] rear end of the cleat is moved laterally, said pedal comprising a resting surface for the cleat including cam means for opposing said releasing rotation of the cleat, and for lifting the side of the cleat, which is moved away from the centre of the pedal when said releasing rotation is imposed on the cleat,

wherein said cam means are only arranged on the side of the pedal facing outwards relative [(with reference] to the mounted condition on the bicycle)], so as to be operative only when the rear end of the cleat is moved laterally outwards, with respect to the bicycle, starting from the engaged position.

2. (Amended) Safety pedal according to claim 1, wherein the internal side of said resting surface does not present any means for opposing the rotation of the

Applicant: Valentino Campagnolo
Application No.: 09/886,123

the cleat, so that a lateral inwards [outwards] movement of the rear end of the cleat, from the engaged position, does not lift the internal side of the cleat.

3. (Amended) Safety pedal according to claim 1, wherein [the internal side of said resting surface comprises a stop for preventing a lateral inward movement of the rear end of the cleat.] said cam means is a ramp integral with a metal plate fastened to the pedal defining the resting surface.

4. (Amended) Safety pedal according to claim [1] 3, wherein said [cam means consist of a ramp defined by a projection made by drawing on a] stop is defined by a projection integral with a metal plate fastened to the pedal defining [said] the resting surface.

ABSTRACT

A bicycle safety pedal including [for bicycles, comprising a device for quickly coupling to a cleat fastened to the sole of as shoe. This device comprises] a toe element for receiving a front end of the cleat and a rear fastening device, which is suitable for engaging the rear end of the cleat when the rear end of the cleat [this] is pressed over the [said] rear fastening device. The cleat is released by moving [from the pedal by turning in the general plane of the pedal so to move] the rear end [of

Applicant: Valentino Campagnolo
Application No.: 09/886,123

the cleat] laterally. The resting surface of the cleat on the pedal includes a cam surface [means] for lifting the side of the cleat, which is moved away from the centre of the pedal when the releasing rotation is imposed on the cleat. The cam surface is [Said cam means are] only arranged on the side of the pedal facing outwards (with reference to the fitting condition of the bicycle), so to be operative only when the rear end of the cleat is moved laterally outwards, i.e., [i.e.] distanced with respect to the bicycle, starting from the engaged position.

[(figure 2)]